

## Message Text

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ACTION ORM-02

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FM AMEMBASSY SEOUL

TO SECSTATE WASHDC PRIORITY 8535

C O N F I D E N T I A L SEOUL 5784

E.O. 11652: GDS

TAGS: SREF KS (CHANG, HAE KWANG)

SUBJECT: REQUEST FOR ASYLUM

REF: STATE 178950

1. ALL KOREANS INCLUDING JEHOVAH'S WITNESSES ARE SUBJECT PROSECUTION FOR FAILURE TO SERVE ON ACTIVE DUTY WITH THE KOREAN MILITARY FORCES OR WITH THE RESERVES UPON COMPLETION OF ACTIVE SERVICE. IN PRACTICE, WITNESSES OVER THIRTY FIVE YEARS OF AGE ARE NOT HAVING DIFFICULTY ACCOMMODATING THE SITUATION TO THEIR RELIGIOUS CONVICTIONS.

2. WITNESSES CLAIM 30,000 BELIEVERS IN ROK. PROSECUTION OF WITNESSES UNDER MILITARY SERVICE LAWS NOT UNCOMMON BUT CONCENTRATED ON THOSE CALLED FOR ACTIVE DUTY OR SERVICE IN HOMELAND RESERVE. AT THE END OF YEAR IN WHICH THEY REACH THIRTY FIVE YEARS OF AGE ENLISTED MEN ARE TRANSFERRED TO CIVIL DEFENSE CORPS. NCO'S CAN TRANSFER AT AGE 45, AND OFFICERS UP TO MAJOR AT 43 YEARS OLD. MOST KOREAN WITNESSES HAVE BEEN ENLISTED MEN. MANY WITNESSES HAVE BEEN ABLE TO RECONCILE SERVICE WITH CIVIL DEFENSE CORPS WITH MORAL CONVICTIONS EITHER BECAUSE OF NATURE OF DUTIES ASSIGNED, LESS RIGID REQUIREMENTS OF SERVICE OR THROUGH INVENTIVE EVASION OF CERTAIN OBLIGATIONS.

3. DONALD L. STEEL, REPRESENTATIVE OF JEHOVAH'S WITNESSES KOREA  
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BRANCH, ADVISES THAT COMMUNITY DOES NOT HAVE POLICY TO GUIDE

WITNESSES VIS-A-VIS MILITARY SERVICE. EACH INDIVIDUAL BELIEVER MUST MAKE DECISIONS ON BASIS OF PERSONAL CONVICTIONS AND CIRCUMSTANCES OF SITUATION. HE NOTES GREATER ABILITY OF MOST BELIEVERS TO ACCOMMODATE AND AVOID PROSECUTION WHEN THEY ARE OLD ENOUGH TO RETIRE FROM HOMELAND RESERVE. HE CANNOT PREDICT HOW ANY INDIVIDUAL WOULD FARE WITH THE AUTHORITIES OR INDEED WHAT ANY INDIVIDUAL WITNESS MIGHT CONSIDER MORALLY CORRECT IN HIS SITUATION VIS-A-VIS THE LESS ONEROUS STATUS AS A MEMBER OF CIVIL DEFENSE CORPS.

4. MR. STEEL ALSO NOTED THAT IN CASES WHERE WITNESSES HAVE BEEN PROSECUTED FOR SIMILAR OFFENSES, SOME HAVE RECEIVED PUNISHMENT TO THE FULL EXTENT OF THE LAW AND OTHERS HAVE RECEIVED LIGHT, ALMOST SYMBOLIC, PENALTIES. STEEL ADDED THAT THE RELATIVELY MORE TRANQUIL SITUATION OF MALE WITNESSES OVER THIRTY FIVE YEARS OF AGE MIGHT CHANGE ABRUPTLY IN THE EVENT OF MOBILIZATION OR OTHER UNFORESEEN EVENTS.

5. MR. CHANG HAE-KWANG, WHO WAS SUBJECT OF DEPARTMENT'S MESSAGE IS APPARENTLY NOW THIRTY FIVE YEARS OLD. MANY WITNESSES OVER THIRTY FIVE HAVE IN PRACTICE BEEN ABLE RECONCILE THEIR MORAL COMMITMENTS TO THE SITUATION POSED BY REQUIREMENTS FOR SERVICE IN THE CIVIL DEFENSE CORPS. IT SEEMS POSSIBLE THAT MR. CHANG MIGHT BE ABLE TO DO THE SAME, BUT THERE IS NO WAY OF KNOWING THIS FOR CERTAIN. IF MR. CHANG SERVED AS AN OFFICER OR NCO HE WILL BE EXPECTED TO SERVE IN THE HOMELAND RESERVE BEYOND AGE THIRTY-FIVE AND THE CHANCES OF HIS RUNNING AFOUL OF SERVICE REQUIREMENTS WILL BE HIGH. STERN

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